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ABSTRACT

These two technical assistance papers are designed to provide further clarification to Florida school districts regarding the completion of matrices for students with disabilities and on the documentation of the amount of services a student receives on an Individualized Education Program (IEP). The "Matrix of Services" is used to document the individualized special education and related services that a student with disabilities is receiving as documented on the student's IEP, educational plan, or family support plan. This paper, published in January 2000, was developed in response to district concerns that the revised "Matrix of Services Handbook" has resulted in lower matrix ratings even for those students receiving intensive services. The questions and answers provided in the paper are designed to clarify some of the areas that were identified as problematic during meetings with special education administrators. It specifically addresses: the level of documentation required for students with a matrix rating of 251; documentation needed to check a service on the matrix; requirements for functional behavioral assessments; requirements for speech therapy; requirements for organizational strategies; and consultation services. The second technical assistance paper, published in August 2001, provides answers to frequently asked questions on the documentation of the amount of special education and related services on the IEP. (CR)

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ED 474 003

Clarification on Completing the Matrix of Services [and] Documenting the Amount of Special Education and Related Services on the Individual Education Plan

Technical Assistance Papers

January 2000
August 2001

Florida State Department of Education
Division of Public Schools and Community Education
Bureau of Instructional Support and Community Services

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FLORIDA DEPARTMENT OF EDUCATION
TALLAHASSEE, FLORIDA 32399-0400

Tom Gallagher
Commissioner

Shan Goff, Chief
Bureau of Instructional
Support and Community Services

February 7, 2000

MEMORANDUM #2000-04

TO: Exceptional Student Education Administrators

FROM: Shan Goff

SUBJECT: Clarification on Completing the Matrix of Services

Attached is a technical assistance paper to provide districts with clarification on completing the matrix of services. This paper was developed in response to district concerns that the revised ***Matrix of Services Handbook*** has resulted in lower matrix ratings even for those students receiving intensive services. In order to further address these concerns, the Department of Education held a meeting with selected district exceptional education administrators on January 6, further discussed concerns at the Administrator's Management Meeting on January 11, and again at the CASE meeting on February 1. The questions and answers provided in the attached TAP were designed to clarify some of the areas that were identified as problematic during these meetings.

In addition to these clarifications, we have determined that it is necessary to implement **two additions** to the **Special Considerations** section listed on the Matrix of Services.

___ Add 1 point for students who have a score of 17 total points and who are rated Level 5 in three of the five domains.

___ Add 1 point for students who have a score of 21 total points and who are rated Level 5 in four of the five domains.

Districts making the two changes above should identify students eligible for the extra point, cross out the old score and cost factor, indicate the new score and cost factor, and attach a copy of this memo to the matrix form. A camera-ready matrix form with the additions to the Special Considerations section will be sent to districts as soon as possible.

Districts are urged to continue to review the accuracy of their matrix ratings for October 1999 and February 2000 and submit amendments where necessary. If these amendments result in shifts in cost factors 251-255, **districts may submit amendments to their ESE FTE projections no later than February 16, 2000, at 5:00 p.m.**

If you have questions, or would like additional information, please contact Debby Houston, Martha Asbury, or Marie Lacap at (850) 488-1570, Suncom 278-1570, e-mail houstond@mail.doe.state.fl.us, asburym@mail.doe.state.fl.us, or lacapm@mail.doe.state.fl.us.

Enclosure

cc: District Superintendents
District Finance Officers

Clarification on Completing the Matrix of Services

PURPOSE

This technical assistance paper has been prepared to provide further clarification regarding the completion of matrixes for exceptional students. The document contains background information as well as answers to questions identified as needing further elaboration.

BACKGROUND

The Matrix of Services, authorized by section 236.025, Florida Statutes, is used to document the individualized special education and related services that an ESE student is receiving as documented on the student's individual educational plan, educational plan, or family support plan.

Following the first year of implementation in 1997-98, the Florida Legislature required that the Department of Education "revise the matrix criteria" to make the rating process "more precise and less subjective" (1998 General Appropriations Act). Training materials were revised to reduce the subjectivity of matrix completion and to add information about the evidence required for monitoring. School and district staff have expressed concerns that the revised matrix handbook requirements has had the effect of lowering matrix ratings even for those students receiving intensive services. Much of their concern centers around the level of documentation required. The following questions and answers are designed to clarify some of the areas which have been identified as problematic.

QUESTIONS AND ANSWERS

DOCUMENTATION

1. What is the level of documentation required for students with a matrix rating of 251?

In many cases, the requirement for evidence of lower level services can be met by looking at logs, staff and student schedules, interviewing staff, or observing in classrooms. A student schedule indicating special classes or co-teaching is evidence of direct, specialized instruction. A lesson plan book may indicate small group training in social skills. The log of a speech-language pathologist, nurse, or

(continues)

Paper Number: FY 2000-4

January 2000

Division of Public Schools
and Community Education
Bureau of Instructional Support
and Community Services

Refer Questions To:
Dr. Debby Houston (850) 488-1106
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FLORIDA Department of Education

TECHNICAL ASSISTANCE PAPERS are produced periodically by the Bureau of Instructional Support and Community Services to present discussion of current topics. The TA Papers may be used for Inservice sessions, technical assistance visits, parent organization meetings, or interdisciplinary discussion groups. Topics are identified by state steering committees, district personnel, and individuals, or from program compliance monitoring.

occupational therapist will address speech, health, and OT services. There is no requirement that teachers create special forms or accumulate comprehensive documentation to show evidence of services. For services such as "daily reports," a representative sample of the reports will suffice for monitoring purposes.

2. **The Matrix of Services Handbook states that in order to check a service there must be evidence of need documented in the present level of performance and annual goals of the IEP, and that the IEP must also address the special education services that will be provided in order to meet the goals. Can services be checked if they are not addressed in all three areas on the IEP?**

   Yes. As an example, "supervision to ensure physical safety" may be identified as a service on the IEP without a specific goal being written. Similarly, health services may be identified as a related service without a present level statement or goals. In instances where it does not make sense to address the service (or need for service) in all three areas, the service should still be checked on the matrix.

3. **The Matrix Handbook indicates that, in order to check "highly structured behavior management plan infused throughout the school day," there must be documentation of a functional behavioral assessment. How formal must the assessment be?**

   A functional behavioral assessment is a process for developing a useful understanding of how behavior relates to the environment. Functional behavioral assessments will vary in rigor dependent upon the severity of the behavior and complexity of the circumstances. Functional assessment procedures typically include combinations of any of the following activities:

   - review of records and existing information, including prior interventions and results
   - interviews with individuals familiar with the student, such as family and teachers, as well as the student in question
   - observations of the student's behavior in one or more settings and at various times
   - formal and informal measurement procedures

   A functional behavioral assessment is not a discrete activity conducted in isolation of the total school context for a student. Utilization of existing information in assessing student behavior is not only efficient, it is critical to understanding how to design appropriate interventions for the student. The primary purpose of the review of records and existing information is to build on what is known about the student; therefore, the process does not require "starting from scratch" each time the function of a behavior is assessed.

4. **Should concerns about adequate documentation keep me from checking a service on the matrix?**

   District staff report that some teachers, due to their concerns about required documentation, are not checking services on the matrix, even though the service is identified on the IEP and is being provided. This practice should be strongly discouraged. All of the required evidence of a service should be "naturally occurring" (i.e., things that teachers would be doing anyway). When Department of Education staff monitor a district, they will be looking only at services being provided to current students, and will make every effort to be flexible in applying the requirements. For some services, particularly low level services, observations and/or teacher interviews may suffice as evidence that a service is being provided.

SPECIAL CLASS/SPECIAL SCHOOL

5. **All of the students in a special class for students with severe emotional disturbance are on a level system. Because the service is provided for all students in the class, does this mean that the service cannot be checked on the matrix?**

   No. Although it is true that special services provided to everyone in a class may not normally be checked on matrices, this guideline would not apply to services provided in a special class, if the services are individualized in some way to meet each student's needs. For example, students served in a self-contained EH/SED class may all participate in a behavior management system. The overall system may be the same for all the students but individualized through differences in target behaviors, contingencies, schedules. As long as the service is based on need and individualized to address those needs, the service should be checked on the matrix.

FUNCTIONAL BEHAVIORAL ASSESSMENT

6. **Is a functional behavioral assessment required for every Level 4 and Level 5 service in Domain B, Social/Emotional Behavior?**

   No. At Level 4, a functional behavioral assessment (FBA) is required for the one service "highly structured behavior management plan infused throughout the school day." At Level 5, a FBA is required for the one service "intensive, individualized behavior management plan that requires very small group or one-on-one intervention. The other areas under Level 4 and Level 5 do not contain this particular requirement, although it might be considered best practice.

DAILY SPEECH THERAPY

7. **If a student is receiving daily speech therapy, must there be evidence that two professional staff are involved and documentation of face-to-face collaboration between the two professionals in order to check Level 4 "daily integrated intervention and assistance related to communication needs?"**

   No. If there is evidence that speech therapy is occurring daily, no other documentation will be required.

ORGANIZATIONAL STRATEGIES/INDEPENDENT LIVING SKILLS

8. **How can services related to organizational strategies be checked for students who receive all of their academic instruction in a separate special education class?**

   While the two items which include the words "organizational strategies" refer only to those students using the strategies in a general education classroom, the term "independent living skills" includes those skills taught for adult independent living (e.g., employability skills, domestic skills, recreation and leisure activities, and accessing general community resources). For students receiving instruction in skills that relate to adult independent living, the service should be checked under independent living.

CONSULTATION

9. Can consultation services be checked in more than one domain?

Consultation may be checked in more than one domain if distinct consultative services are being provided for each domain checked. If, for example, consultation occurs between a behavior specialist and a classroom teacher regarding a student's behavior, and between a resource teacher and the same classroom teacher regarding academic achievement, consultation may be checked in both Domain A and Domain B. If a single professional (e.g., resource teacher) is providing consultative services in two domains, there will have to evidence that each domain is addressed separately at least monthly and different services (e.g., modifications, strategies, behavior plans) are being carried out as a result of the consultation. If there are instances where a teacher consults with other teachers regarding academic achievement, and occasionally addresses a behavioral, independent functioning, or communication issue, consultation should only be indicated under Domain A.

FLORIDA DEPARTMENT OF EDUCATION

CHARLIE CRIST
COMMISSIONER

SHAN GOFF, CHIEF
BUREAU OF INSTRUCTIONAL SUPPORT AND
COMMUNITY SERVICES

August 22, 2001

IDEA UPDATE #15
M E M O R A N D U M #2001-83

TO: Exceptional Student Education Directors

FROM: Shan Goff

SUBJECT: Documentation of Special Education Services on the Individual Educational Plan

This is one of a series of technical assistance materials related to the final regulations implementing the 1997 Amendments to Parts B and C of the Individuals with Disabilities Education Act (IDEA). The material in this update is based on

- actual language of the regulations (34 CFR Part 300)
- explanatory material published by the Office of Special Education Programs (OSEP)
- Department of Education (DOE) staff analysis of the regulations and existing state policies and procedures
- reviews by selected individuals throughout the state.

A number of issues regarding documentation of special education and related services on the Individual Educational Plan (IEP) have been raised by school districts. The purpose of the enclosed technical assistance paper (TAP) is to provide guidance to districts on these procedures. This TAP replaces TAP No. FY 1993-6, "The Use of a Range of Time on Individual Educational Plans."

If you have any questions regarding this information, please contact Lezlie Cline at (850) 488-1106 or e-mail at clinel@mail.doe.state.fl.us.

SG/lch

Enclosure

Documenting the Amount of Special Education and Related Services on the Individual Educational Plan

BACKGROUND

This is one of a series of technical assistance materials related to the final regulations implementing the 1997 Amendments to Parts B and C of the Individuals with Disabilities Education Act (IDEA). The material in this update is based on

- actual language of the regulations (34 CFR Part 300)
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Special Education and Related Services

Special education is defined as specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability. Specially designed instruction means adapting the content, methodology, or delivery of instruction, as appropriate, to address the unique needs that result from the student's disability and ensuring access of the student to the general curriculum to meet the educational standards that apply to all students.

Related services are defined as transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education.

Program areas, subject areas, or service delivery models (e.g., Specific Learning Disabilities, reading, or co-taught classes) are not considered to be special education services. Examples of how to identify special education services on the IEP are direct instruction in reading comprehension strategies, specialized instruction for written language, assistance with math provided in a co-taught classroom, small group instruction in language arts, or speech therapy.

Paper Number: FY 2002-1

August 2001

Division of Public Schools
and Community Education
Bureau of Instructional Support
and Community Services

Refer Questions To:
Lezlie Cline (850) 488-1106

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QUESTIONS AND ANSWERS

1. **Must the IEP specify the amount of services or may it simply list the services to be provided?**

   Appendix A, Question 35, (34 CFR Part 300) of the final regulations addresses the issue of documenting special education and related services on the IEP as follows:

   The amount of services to be provided must be stated in the IEP so that the level of the agency's commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to each of the various services to be provided must be (1) appropriate to the specific service, and (2) stated in the IEP in a manner that is clear to all who are involved in both the development and implementation of the IEP.

2. **Can the amount of services be stated on the IEP in terms other than minutes?**

   Although IDEA does not specify that the amount of services must be stated in minutes, it does require the frequency be stated on the IEP for special education and related services, as well as, all accommodations, modifications, supports to school personnel, and supplemental aids and services. DOE recommends that the amount of services for speech, language, occupational, and physical therapy continue to be stated in minutes. An example for occupational therapy is 30 minutes per week for therapy and one time per week for consultation. Examples of how to describe the amount of services on the IEP, other than by minutes, are "twice a week" or "daily." The amount of the services must be clear to all parties involved in the development and implementation of the IEP.

   District exceptional student education (ESE) departments may need to work with their Management Information System (MIS) personnel to develop a data entry system for reporting the amount of services in terms other than minutes. At the secondary level, it may be obtained from the course schedule.

3. **Can "zero minutes" be used to specify the amount of services on the IEP?**

   No. In order for a student with a disability to continue in an ESE program, they must be in need of special education services. A student who does not need ESE services should be considered for dismissal from special education.

4. **Can "as needed" be used to specify the amount of services on the IEP?**

   No. The amount of services needs to be stated in terms that are clear to the parent and school personnel. It must identify the actual number of times that service will be provided. In situations when "as needed" seems appropriate, the IEP team should anticipate the amount of the service that will be needed by the student.

5. **Is it permissible to use a range of time on the IEP to indicate the amount of special education or related services a student will receive?**

   The amount of special education or related service may be stated on the IEP as a range **only** if the IEP team determines that stating the amount of services as a range is necessary to meet the unique needs of the student. There should be documentation on the IEP or conference notes as to why the range is needed based on individual concerns.

   It is appropriate to use a range of time, based on the IEP team's determination of the student's unique needs, to specify that a service is needed only in specific circumstances. A range of time might be stated as 1-2 periods

per day, 3-4 hours per week, or 3 times per week for 30-45 minutes per session, as long as the range is based on individual needs. Some examples are

- replacement behaviors taught daily when the student exhibits an inappropriate behavior
- intense strategies taught during the initial instruction of a concept, less assistance during the drill and practice phase
- two support classes for the first semester for a student transitioning from middle to high school, only one class once the student has learned the routine
- occupational therapy two times per week until the student masters the function of the assistive device, monthly consultation once mastered

The 1997 Office of Special Education Programs (OSEP) report for Florida emphasized that a range of time could not be used for "administrative convenience," (e.g., personnel shortages, uncertainty regarding the availability of staff, or potential changes in student schedules). Preprinted information on the IEP form should not encourage the use of ranges. Patterns in the use of range of time for students in a particular school, program, or district may be closely reviewed. Terms such as "a minimum of" or "a maximum of" should not be used. If the range exceeds federal placement categories (as referenced in TAP 2001-10, *Change in Identification, FAPE, Placement, or Dismissal from Special Education*, Question 1), an informed notice to the parent would be required and an IEP meeting be convened to discuss the appropriateness.

6. How should the need for a range of time be documented?

Written documentation by the IEP team stating why the range of time is necessary for the student needs to be in evidence. Documentation may be located in staffing notes, conference notes, the present level of performance on the IEP, or in other places on the student's IEP.

7. How can a therapist accommodate for the beginning of year procedures without using a range of time?

District procedures must ensure that students who have a therapy documented on the IEP receive therapy on a regularly scheduled basis at the beginning of each school year but with no more than a 10-day delay. More than 10 days may be interpreted as a change of placement and a denial of a free appropriate public education (FAPE).

As referenced in TAN FY 1991-2 "Beginning of Year Procedures for Programs for Speech and Language Impaired Students," the Office of Civil Rights (OCR) declined to state a rule as to an acceptable length of delay. They did, however, state that a 10-day delay in initiation of direct services would not be a denial of FAPE.

8. How should the amount of services be reported on an IEP for students who have block schedules?

It is important that the amount of services be clearly written on the IEP. It may be necessary to delineate the type and amount of services into different sections for each block of time if it will vary throughout the year. The initiation and duration dates of the service to be provided for each block of time in the semester or grading period should also be indicated on the IEP. Another option is to convene another IEP meeting to incorporate the new information.

Some examples of how to document frequency include direct instruction in math - alternate day, block schedule, or special instruction in social studies daily on block schedule. It is important to remember that the amount of service is clear to all IEP team members, including the parents.

9. If there is an anticipated change in the amount of special education or related services identified on the IEP, must a new IEP meeting be conducted?

Yes. All changes to an IEP, including a change in the amount of services, must be done through an IEP team meeting. The IEP team must determine the amount of services required that meets the individual needs of the student.

A change in the amount of services may result in a change in educational placement or the provision of FAPE. When this occurs, a written informed notice to parents must be provided prior to the change being implemented.

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